

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

FILED

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DAVID D. HENWOOD,

Plaintiff,

v.

UNISOURCE WORLDWIDE, INC. and  
GEORGIA-PACIFIC CORP.

Defendants.

Civil Action No. 3:01 CV 996 (AWT) (DEM) (RDC) CT  
DISTRICT COURT

December 5, 2003

**MOTION, ON CONSENT, FOR EXTENSION OF TIME TO  
RESPOND TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

The plaintiff in the above-captioned action respectfully moves for a four-week extension of time to respond to the defendants' Motion for Summary Judgment, dated November 17, 2003. Currently, the plaintiff's response is due on or before December 11, 2003. The plaintiff seeks a four-week extension of time so as to require the filing of the plaintiff's brief and supporting pleadings on or before January 8, 2003. As discussed below, the defendants consent to this requested extension. Further in support of this motion, the plaintiff represents the following:

1. The parties previously have engaged in significant amounts of discovery, including the exchange of thousands of pages of documents and the taking of ten depositions over the last year and a half.
2. The defendants' motion for summary judgment is lengthy and, for a variety of factual and legal reasons, seeks judgment as a matter of law as to each of the plaintiff's six counts of his Amended Complaint.
3. Upon information and belief, the defendants' counsel first began drafting their

summary judgment motion and supporting papers approximately six months ago. Moreover, the defendants' paper discovery and the depositions that the defendants noticed and sought to take were completed more than a year ago.

4. The defendants' motion was filed with the Court on Monday, November 17, 2003. Apparently because of delays in the mail between Hartford and Stamford, however, plaintiff's counsel did not receive a complete set of the defendants' papers until Monday, November 24, 2003, the Monday before Thanksgiving.<sup>1</sup>

5. Since receiving the defendants' motion, plaintiff and his counsel have begun the process of preparing a response. However, the preparation of plaintiff's responsive papers was interrupted by previously scheduled Thanksgiving travel plans. In addition, plaintiff's counsel have plans to be out of the office for several days surrounding the upcoming holidays, as well as having other personal and professional commitments.

6. The defendants previously protested the plaintiff's requested extensions of the discovery period, asserting that the remaining three depositions sought to be taken by the plaintiff were unnecessary. Therefore, the defendants could have filed their motion many months ago, pursuant to the previous scheduling orders. Nonetheless, the defendants sought and were granted by the Court extensions of the deadline for the filing of their motion. Most recently, the defendants were granted an additional two-week extension of time to file their summary judgment motion.

7. Good cause exists for the granting of this motion because, despite plaintiff's

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<sup>1</sup> At the request of plaintiff's counsel, some of the defendants' moving papers were e-mailed to plaintiff's counsel on the evening of Wednesday, November 19, 2003.

counsel's diligence, they have been unable to complete the necessary work required to respond to the defendants' motion within the initial period of time. An extension of time is necessary in order to ensure that the plaintiff's interests are adequately represented and that his position is correctly presented to the Court.

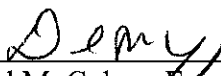
8. The defendants consent to this requested four-week extension of time.

9. This is the first request for an extension of time with respect to this time limitation.

Although a four-week extension of time appears, at first blush, to be lengthy, in light of the delay in the plaintiff's receipt of the defendants' motion, as well as the holidays of Thanksgiving, Hannukah, Christmas and New Years falling within this time period, the plaintiff respectfully asserts that he is not seeking an unreasonable amount of time to prepare a response to an extensive, lengthy motion for summary judgment.

For all the foregoing reasons, the plaintiff respectfully requests that his motion be granted, so as to require the filing of his response to the defendants' motion for summary judgment on or before January 8, 2003.

THE PLAINTIFF,  
DAVID D. HENWOOD

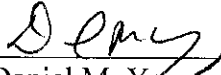
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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was sent by U.S. Mail, postage prepaid, to the following counsel of record on this 5<sup>th</sup> day of December 2003:

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